

#3821
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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

June 27, 2011

TO: Internal File *Q007 for*

THRU: Jim Smith, Permit Supervisor

FROM: Steve Christensen, Environmental Scientist *SJC*

RE: Permit Boundary Amendment, Sunnyside Cogeneration Associates, Sunnyside Refuse/Slurry, C007/0035, Task #3821

SUMMARY:

On May 2nd, 2011, the Division of Oil, Gas and Mining (the Division) received an amendment to the Sunnyside Refuse and Slurry MRP (SCA) from Sunnyside Cogeneration Associates (the Permittee).

The amendment proposes to reduce the SCA permit area by removing approximately 67.9 acres. The intent is to remove the undisturbed or previously reclaimed areas (Old Coarse Refuse Road, Phase III Bond Release Task ID #3718- Final approval June 2nd, 2011).

As part of the amendment, the Permittee submitted an example of a public notice. However; the public notice regulations (R645-300-121) do not apply in this instance. The Permittee is not requesting a change in the post-mining land use. As such, the amendment does not require public notice.

The following deficiency has been identified relative to Plate 1-1, *SCA Permit Area Legal Description*. The deficiency must be addressed prior to final approval of the amendment.

R645-301-521: The Permittee must revise Plate 1-1, *SCA Permit Area Legal Description*. Upon review of the plate, it appears that the depicted permit boundary encompasses the main surface facility and does not correspond to the call out of Parcels A, B and C in the bottom left corner of the plate. The Permittee must revise Plate 1-1 to accurately depict the permit area boundary.

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TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Permit Area Boundary Maps

The application does not meet the Permit Area Boundary Map requirements of the State of Utah R645-Coal Mining Rules. The following deficiency must be addressed prior to final approval:

R645-301-521: The Permittee must revise Plate 1-1, *SCA Permit Area Legal Description*. Upon review of the plate, it appears that the depicted permit boundary encompasses the main surface facility and does not correspond to the call out of Parcels A, B and C in the bottom left corner of the plate. The Permittee must revise Plate 1-1 to accurately depict the permit area boundary.

Findings:

R645-301-521: The Permittee must revise Plate 1-1, *SCA Permit Area Legal Description*. Upon review of the plate, it appears that the depicted permit boundary encompasses the main surface facility and does not correspond to the call out of Parcels A, B and C in the bottom left corner of the plate. The Permittee must revise Plate 1-1 to accurately depict the permit area boundary.

RECOMMENDATIONS:

The application should not be approved at this time. The aforementioned deficiency must be addressed prior to final approval.